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269**REMARKS*****Drawings***

The Examiner has objected to the drawings under 37 C.F.R. 1.83(a). Paragraph 34 has been amended to reflect the elements and features shown in the drawings and described within the specification with respect to paragraph 34. Specifically, "hole 142" has been amended to read "pressure hole 142". This feature is also shown in both Figure 6 and Figure 7. Therefore, replacement drawings should not be required.

***Claims***

Applicant thanks the Examiner for the remarks and analysis contained in the Non-Final Office Action mailed on February 21, 2006. Claims 1, 6, and 14 have been amended. New claims 20 and 21 are presented. Applicant respectfully requests reconsideration of this application.

The Examiner rejected claims 1-3, 5, 7, 10-12, 15 and 19 under 35 U.S.C. §102(b) as being anticipated by Japanese Publication No. JP 05-272472 to *Kobayashi, et al.* Applicant disagrees with the basis for these rejections. Claim 1 requires that the "valve retainer includes a snap fit connector to mount said valve retainer to said first scroll member." *Kobayashi, et al.* fails to disclose this limitation. The valve guard 26 of *Kobayashi, et al.* does not have a snap fit connector. Instead, the valve guard 26 is retained in place by a C-shaped snap ring 27 which snaps into slot 1E of the fixed scroll member 1. Therefore, claim 1 and all those claims depending from claim 1 are allowable.

Claim 11 requires a snap fit connector that comprises "an opening and a protrusion." Nothing in *Kobayashi, et al.* discloses that the C-shaped snap ring 27

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includes a protrusion. In fact, the C-shaped snap ring 27 shown in Figures 1-4 of *Kobayashi, et al.* is generally flat, circular and of a uniform diameter. No protrusion is shown as stated by the Examiner. Therefore, claim 11 and all those claims depending therefrom are allowable.

Claim 19 requires the limitation of "flexing a portion of the valve retainer between a disengaged position and an engaged position." The valve guard 26 of *Kobayashi, et al.* fails to disclose having a valve guard 26 portion which is flexed between a disengaged position and an engaged position. In fact, the valve guard 26 is positioned between the wall of the fixed scroll 1 and the elastic member 28 without the need to flex between an engaged and a disengaged position. Also, the valve guard 26 is engaged to the fixed scroll 1 by a separate snap ring 27 and not by flexing a portion of the valve guard 26. Therefore, claim 19 is allowable.

Claims 6 and 14 were objected to by the Examiner because the subject matter of a "pressure hole" was not incorporated into the specification and the drawings. As stated above, this limitation is disclosed in paragraph 34 and in Figure 6 and Figure 7 with respect to item number 142. Therefore, claims 6 and 14 are allowable.

New claim 20 requires that "said valve retainer defines a pressure chamber having at least one opening, wherein said opening includes a valve seat that extends circumferentially around said opening to receive said valve." These features are neither disclosed nor suggested by the cited references. Therefore, claim 20 is in condition for allowance.

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New claim 21 requires that "at least a portion of said snap fit connector contacts said valve." This feature is neither disclosed nor suggested by the cited references. As such, claim 21 is in condition for allowance.

For the reasons stated herein, Applicant believes all claims are allowable.

Applicant believes that fees in the amount of \$50.00 are required for one claim in excess of twenty. The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds in the amount of \$50.00. The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS

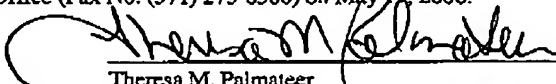
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Dated: May 19, 2006

CERTIFICATE OF FACSIMILE

I hereby certify that this Amendment relative to Application Serial No. 10/827,411 is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on May 19, 2006.

  
Theresa M. Palmateer

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